

REMARKS

This Amendment is in response to the Office Action mailed January 24, 2006. With this Amendment claims 17 and 39 are amended and the remaining claims are unchanged. Reconsideration and withdrawal of the rejections are respectfully requested in view of the following remarks.

On May 18, 2006 an Interview was held between the Examiner and the Undersigned. During this interview a number of issues were discussed which are briefly summarized in the Interview Summaries provided by both the Undersigned and the Examiner on May 23, 2006. Based in part on those discussions the claims are amended as indicated above. The Applicant believes these claims conform to the agreement indicated in the Examiner's interview summary. Therefore, the Applicant respectfully requests a Notice of Allowance in response to this paper.

In item 8 of the Office Action the Examiner provisionally rejected claims 17, 19-23, 25-26, 28, 30, and 34-35 on the grounds of non-statutory obviousness type double patenting as being unpatentable over claims 1-6, 9-12, 14, 17, and 18 of Application 10/676,834. The Applicant has searched the patent office and has found that Application number 10/676,834 and has issued as U.S. Patent No 6,856,440 to Chaleff , et al. on February 15, 2005. The Chaleff reference is directed to a Coplanar camera scanning system. The applicant fails to see any claims or disclosure in the Chaleff reference that would relate to double patenting, and therefore, the applicant asserts that there can be no double patenting between the Chaleff reference and the present application. However, during the interview the Examiner indicated that this was not the correct application to form the basis of the double patenting rejection. The Examiner indicated that the correct application number should have been 10/674,834. If this is, in fact, the correct application number, the applicant would respectfully request that the Examiner so indicate in the next communication and the Applicant will respond accordingly.

In items 4 and 5 of the Office Action the Examiner rejected claim 1. However following the restriction requirement, claim 1 was withdrawn from consideration. Therefore, the Applicant asserts that this rejection is presently moot.

In Item 6 of the Office Action the Examiner rejected claim 39 based on an ambiguity.

With this amendment claim 39 is amended to remove the ambiguity. Reconsideration and withdrawal of the rejection are respectfully requested.

In item 10 of the Office Action the Examiner rejected claims 17-21 and 25-32 under 35 USC §102(e) as being anticipated by Vronay et al. US Patent Publication No 2004/0254928. The applicant has reviewed the Vronay reference and must respectfully disagree.

Specifically, the present invention is directed to “A method of identifying and creating text for a new term in a term database that matches a desired terminology for a label.” Whereas, the Vronay reference is directed to a method of querying a database for information. One difference between the Vronay reference and the present claims is the use of labels. Labels are defined in the application on page 16 as text represented by an identifier. In other words labels are more than just text. Vronay does not disclose text along with an identifier for that text. Vronay merely matches text.

More specifically, in the Interview, the Examiner and the applicant’s representative discussed an illustrative example of what a label is. The example discussed concerned the icons that typically appear in various application programs. In these programs a text phrase often appears when a mouse or other pointing device is hovered over the icon. This text display is one version of a label for the icon and Vronay does not teach any such text and identities.

Another difference between Vronay and the present claims is the element of “receiving data at an interface indicative of how the new term is used in the label.” In the sections cited by Examiner in Vronay, paragraphs 73-75 and 79, the user types in the desired search query text, and is assisted by the auto-complete feature to identify additional search terms that may be desired by the user. However, the auto-complete feature does not provide the use of the desired text, it merely identifies additional text that the user may want to search to provide better results. Nowhere in the Vronay reference are such labels mentioned. In fact, Vronay cannot identify text by its use in the database. For example, Vronay cannot identify text in the database that is used to instruct users to save data, but may not use the word “save”. Further, Vronay cannot differentiate between two entries having the same text for example the word “clear” could in one language be used to mean both “clear” and “delete”. However, the developer in that language would not

necessarily know that the word “clear” in his native tongue is represented by multiple words in another language. Therefore, identifying the use of the new term is an important step in assisting the developer in identifying or creating the correct term for the correct use. It is thus respectfully submitted that Vronay does not disclose, teach or suggest this feature of independent claim 17, and claim 17 is believed allowable. Further dependent claims 18-21, and 25-32 have additional features which are not disclosed, taught or suggested by the Vronay reference, and are believed allowable as well. Reconsideration and withdrawal of the rejection are respectfully requested.

In item 12 of the Office Action the Examiner rejected claims 22, 35, and 38-40 under 35 USC§103(a) as being unpatentable over Vronay et al., cited above, in view of Yamamoto, U.S. Publication No 2002/0156775. The Applicant has reviewed the Yamamoto reference and must respectfully disagree. Specifically, for the reasons stated above, Vronay does not teach or suggest the features of claim 17. Yamamoto does not teach these features. Further, neither Yamamoto nor Vronay, teach or suggest, either alone or in combination, “creating a new object in the term database for the new term” as set out in claim 21 (from which claim 22 depends). Reconsideration and withdrawal of the rejection are thus respectfully requested.

It should be noted that claims 38-40 depend directly from claim 37 which is rejected in Item 14 for different reasons. During the Interview the Examiner was made aware of this discrepancy. The Examiner indicated that he would identify the correct references, if any, that are being applied against these claims in a revised office action.

In item 13 of the Office Action the Examiner rejected claims 23-24 under 35 USC§103(a) as being unpatentable over Vronay et al., cited above, in view of Yamamoto, cited above in further view of Colace et al. U.S. Publication No. 2004/0260689. The Applicant has reviewed both the Yamamoto reference and the Colace reference and must respectfully disagree. Specifically, for the reasons stated above, Vronay does not teach or suggest the features of claim 17. Yamamoto does not teach these features. Further, neither Yamamoto, nor Colace, nor Vronay, teach or suggest, either alone or in combination, “creating a new object in the term database for the new term” set out in claims 21 (from which claim 23 ultimately depends). Reconsideration and withdrawal of the rejection are thus respectfully requested.

In Item 14 of the Office Action the Examiner rejected claims 33, 34, 36 and 37 under 35 USC§103(a) as being unpatentable over Vronay et al., cited above, in view of Colace et al. cited above. The Applicant has reviewed both of the references and must respectfully disagree. Specifically, for the reasons stated above, Vronay does not teach or suggest the features of claim 17. Further, neither Colace, nor Vronay, teach or suggest, either alone or in combination, "creating a new object in the term database for the new term" set out in claim 21 (from which claim 33 depends). Reconsideration and withdrawal of the rejection are thus respectfully requested.

In conclusion the Applicant respectfully asserts that claims 17-40 are in condition for allowance. Reconsideration and allowance of claims 17-40 are respectfully requested.

The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123.

Respectfully submitted,

WESTMAN, CHAMPLIN & KELLY, P.A.

By: 

Nathan M. Rau, Reg. No. 45,466
Suite 1400
900 Second Avenue South
Minneapolis, Minnesota 55402-3244
Phone: (612) 334-3222 Fax: (612) 334-3312

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